REMARKS/ARGUMENTS

The Specification has been amended to comply with the enablement requirement under 35 U.S.C. §112, first paragraph. Claims 1, 7, and 16 have been amended to more accurately define the invention claimed.

Haber et al. (United States Patent No. 5,490,736) discloses a single-use stylus applicator. The applicator comprises a hollow tubular body and a hollow tubular cap. A stylus shaped absorbent swab is disposed within the applicator and projects outwardly from the open end of the body. The absorbent swab has a hollow compartment which encloses a medication plug. A "deformable elastomeric septum" separates the medication plug from a "diluent" in the body. The "septum" is located so as to extend laterally across the body to function as a physical barrier between the diluent and the medication plug. The "septum" functions as a valve that operates from an initially closed position to an opened position during use. After the cap is removed, the user compressed the body to cause the "septum" to be displaced from its packaged alignment across the body thereby enabling the diluent to flow into the absorbent swab.

Applicant's claimed invention is a swab packaging with separated liquid and dry compound. The swab applicator comprises an elongated tubular housing enclosing a liquid. The swab applicator has an opening means that does not separate the liquid from the dry compound to release the liquid to an applicator tip affixed to one end of the elongated tubular housing. A dry compound is disposed in or around the applicator tip. When the liquid is released into the applicator tip through the opening means, the liquid in the moisturized applicator tip will interact with the dry compound in the correct predetermined ratio for application.

Application No.: 10/614,886

Amendment dated: March 17, 2006

Reply to Office Action of: October 18, 2005

Applicant hereby submits that the claim rejections under 35 U.S.C. §112, first paragraph, and 35 U.S.C. §102(b) have all been overcome. Therefore, applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

Joe Nieh

Registration Number: 46,961 18760 E. Amar Road, #204

Walnut, CA 91789 Tel: (626) 964-4227 Fax: (626) 854-5717

E-Mail: nieh@justice.com

Application No.: 10/614,886

Amendment dated: March 17, 2006

Reply to Office Action of: October 18, 2005

Certificate of Mailing: I certify that on the date below this document and referenced attachments, if any, will be deposited with the U.S. Postal Service by 1st Class Mail in an envelope addressed to: "Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450."

March 17, 2006

Joe Nieh

Registration Number: 46,961 18760 E. Amar Road, #204

Walnut, CA 91789 Tel: (626) 964-4227 Fax: (626) 854-5717

E-Mail: nieh@justice.com